

Law Enforcement News

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A LEN exclusive:

Public solidly favors mixed police/civilian review boards

Perhaps no issue in policing currently evokes more heated debate or frayed nerves than civilian review, which in city after city has driven wedges between political officials and the police rank and file. Police labor leaders insist that only a police officer can understand and judge the actions of another officer. Local officials, for their part, worry that justice may not be served if the police judge themselves.

But while the issue simmers on the front burner of many an urban political agenda, where does the public stand?

A new survey shows that an overwhelming majority of people, across a broad spectrum of demographic groupings, believe that police officers accused of misconduct should have their cases reviewed by a committee composed of both civilians and other officers.

According to the nationwide telephone survey of 1,248 adults, conducted in early October by the polling organization of Louis Harris and Associates Inc. and John Jay College of Criminal Justice, 80 percent of all respondents felt that review boards with both police and civilian members could better judge allegations of misconduct than those formed only of police officers or only of civilians. Only 4 percent felt that review committees should be composed solely of police officers, while support for all-civilian review boards was slightly higher at 15 percent.

All-civilian police review boards garnered the greatest support among Hispanics, people ages 18 to 24, and

those with incomes of \$7,500 or less, with 23 percent of each group preferring that form of police oversight.

Humphrey Taylor, the president and chief executive officer of Louis Harris and Associates, took note of the "broad public consensus" on the question of how police accused of misconduct should be judged, but added, "On balance, however, many more people trust civilians than the police to be fairer judges of police conduct."

Dr. Gerald W. Lynch, the president of John Jay College, said the poll shows that the public are "wiser than they know" on the subject of police review boards.

"The mix of civilians and police is a dynamic combination of all interests in considering all aspects of police misconduct," Lynch noted. "Mixing police and civilians is not oil and water, it is oil and vinegar. It takes two to tango in the area of police complaints and without a partner, neither side will believe the results."

The survey, the first in an ongoing series of joint ventures between the Harris organization and John Jay College, also found strong positive responses to the questions of whether police treat people fairly and refrain from using excessive force.

Solid public support for review boards of mixed composition was consistent in nearly every demographic grouping examined by the survey. Analyzed by age group, that support ranged from a low of 71 percent among those age 18-24 to a high of 84 percent

among those age 50-64. In terms of educational level, mixed boards were supported by 73 percent of those with less than a high school education, 78 percent of high school graduates, 83 percent of those with some college education or a college degree, and 87 percent of those with a post-graduate education.

Seventy-two percent of the self-described political liberals, 81 percent of conservatives and 82 percent of political moderates said they supported the mixed approach. Across racial lines, mixed police/civilian review boards were favored by 80 percent of whites, 78 percent of blacks, and 75 percent of Hispanics.

Dr. William McCarthy of the Criminal Justice Center at John Jay College said he found it "surprising" there was not a wider diversity of opinion about police review boards between racial groups. "I think people would have expected a much wider distinction between the ethnic groups," he said.

McCarthy went on to speculate that the relatively low support for mixed police/civilian boards among those age 18-24 may stem from the fact that persons in that age group are likely to have more adversarial contact with police.

"Their negativity may not indicate inappropriate behavior, just that they are subject to the authoritarian behavior of police," he opined. "The behavior itself is what the society wants the police to control and the police are doing it professionally, but that doesn't mean the person who is subject to that

control is ever going to be pleased with it."

Overall, 60 percent of the respondents felt that police officers would be too lenient in judging officers accused of misconduct, a finding that varied little between males and females, or among age, racial or income groupings. Just under one-third of those questioned — 31 percent — felt that police officers would adequately judge other officers accused of misconduct. The rates were lower among males (29 percent), 18- to 24-year-olds (28 percent), 40- to 49-year-olds (26 percent), and blacks (22 percent).

The ability of police to fairly judge another officer got slightly higher marks from those with less than a high school

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Kelly's the one Veteran NYC cop gets top job

In a decision that was kept tightly under wraps but which surprised few observers, New York Mayor David N. Dinkins on Oct. 16 appointed Raymond W. Kelly to become commissioner of the nation's largest police department.

Kelly, 51, was First Deputy Police Commissioner and had been serving as the acting head of the 28,678-officer department since Sept. 1, when Police Commissioner Lee P. Brown resigned.

The 29-year veteran, a native New Yorker whose policing career was interrupted by a three-year stint in the Marine Corps, rose steadily through the ranks after graduating at the top of his Police Academy class in 1963. He is regarded as a streetwise police official and an able manager, and was instrumental in selling Brown's community policing initiatives to skeptical police commanders. He holds a law degree from St. John's University, a master's degree in law from New York University, and a master's degree in public administration from Harvard University.

"Among the reasons I selected him is that he's a cop," Dinkins said during a news conference in which he announced his choice. "He's a cop's cop. He's intelligent, well educated, organized. Keep in mind that I've had an opportunity to work with him."

Dinkins's selection was no surprise to many police observers, although a tight lid was kept on his

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Portland provides proof: car-seizure law drives down crime, draws interest

Scores of communities nationwide may be expected to adopt ordinances similar to one in Portland, Ore., which allows police to seize and sell the cars of repeat DUI offenders and would-be customers of prostitutes — a tactic that Portland officials say has drastically reduced street cruising by prostitutes and prospective customers as well as the number of DUI-related arrests and fatalities.

"We've been getting calls from all

over the United States on this, as well as Brazil. It's been phenomenal," said Sgt. Roger Hediger, who heads the Portland Police Bureau's automobile seizure and forfeiture unit.

More than 50 U.S. cities have queried Portland officials about the forfeiture program, and at least four jurisdictions — Washington, D.C.; Milwaukee, Long Beach, Calif., and Deschutes County, Ore. — have enacted their own versions of the ordinance, said Hediger. Similar measures are under consideration by the state of New Jersey, Albuquerque, N.M., Phoenix and Sacramento, Calif., he added. [See LEN, Feb. 29, 1992.]

That number is sure to rise following the release last month of a progress report offering hard data as evidence of the program's success. The report said that more than 1,000 cars belonging to DUI offenders and customers of prostitutes have been seized by police since the forfeiture ordinance became effective in December 1989. As of mid-October, 314 cars had been seized by police so far this year — 111 of them belonging to repeat DUI offenders and

203 to customers of prostitutes, said Hediger.

The ordinance provides for the forfeiture of offenders' cars if they are arrested a second time for a DUI or prostitution-related offense. Most of the cars seized by police are returned to drivers — provided they sign a pledge that they will not engage in criminal activity again and agree to pay for costs incurred by police for manpower, towing and storing.

So far this year, 22 cars have been auctioned by police, Hediger told LEN. On the average, he added, about 20 percent of the vehicles seized by police are auctioned, most of them belonging to repeat DUI offenders.

More importantly, the report said, the city experienced a major decline in the number of drunken driving arrests and alcohol-related traffic fatalities from 1990 to 1991, in part because of the forfeiture ordinance. DUI arrests dropped 12 percent — from 3,175 in 1990 to 2,793 in 1991. Deaths resulting from DUI-related accidents dropped by 62 percent — from 29 in 1990 to 18

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What They Are Saying:

"You know how scary it is to shoot somebody twice with a Taser — 50,000 volts that drop an adult bison like a sack of potatoes — and it doesn't put him down? He was like a monster. That's scary."

— Los Angeles Police Sgt. Stacey C. Koon, the supervisor at the scene of the Rodney King beating, whose book on the affair was published recently. (5:2)

Around the Nation

Northeast

CONNECTICUT — The trial of Terry Johnson, the son of an ex-police officer, who is charged with the 1991 slaying of state trooper Russell Bagshaw, is scheduled to begin in Willimantic on Nov. 4. Johnson's lawyers say they may plead insanity. The state is seeking the death penalty against Johnson, 23, and his brother, Duane, 19.

A man who was jailed for two years on a rape charge despite DNA evidence suggesting he was innocent was freed Oct. 20, pending a new trial. When a Hartford jury found Ricky Hammond guilty in March 1990, the rape conviction was believed to have been the first to occur contrary to DNA evidence in the defendant's favor.

DISTRICT OF COLUMBIA — Metropolitan police hope an audit will determine what happened to hundreds of confiscated weapons that are missing from the agency's inventory. An estimated 12 percent of 28,000 guns cannot be found, police say.

MAINE — Police apprehended all but one of seven suspects who allegedly raided a rural home near Cornish on Oct. 13 looking for a cache of marijuana but who broke into the wrong house instead. Three were snared shortly after the incident; one was injured and hospitalized under police guard, and two more suspects were arrested Oct. 17 in New Hampshire.

MARYLAND — Classes at Baltimore public schools were suspended Oct. 22 so students could participate in a day-long "Safe Schools Summit." Police and community were expected to address students at selected school sites.

A 14-year-old Crofton boy was charged Oct. 21 with armed robbery after he walked up to a bank drive-through window, displayed a handgun handle in his shirt and demanded a lollipop. The teller complied. Police say the boy had a BB gun when he was arrested later.

MASSACHUSETTS — The Boston Sunday Globe reported early this month that 61.5 percent of the 3,440 complaints against the Police Department in the 1980's were lodged against just 11 percent of the force's 3,200 officers. Five officers whose names came up the most in complaints are still on the job. They were cleared in 90 of 100 internal affairs probes conducted from 1981 to 1990, the paper reported.

The state's first boot camp-style prison for first-time offenders opened Oct. 21. The \$6-million facility near Bridgewater is for offenders under 30 who will serve their sentences under rigorous discipline, physical training and education.

NEW JERSEY — The state Senate on Oct. 19 began debate on a bill aimed at stemming the increase in auto thefts by teenagers. The five-bill package would impose stiffer penalties and set mandatory prison terms for car theft, joyriding and eluding the police.

The National Rifle Association is

reportedly spending \$300,000 to help elect a Republican-controlled Legislature to gut the state's ban on assault weapons.

NEW YORK — A grand jury last month declined to indict a New York City police officer in the shooting death of a convicted drug dealer, whose killing last July sparked five days of riots and unrest. The grand jury found that Officer Michael O'Keefe was desperately fighting for his life when he shot Jose (Kiko) Garcia during a struggle July 3. Another officer, Lieut. Roger Parino, was cleared of charges that he pushed a man to his death from a rooftop during the disturbances after the Garcia shooting.

The Lancaster Village Board has named four members to a joint village-town committee that will study the possible consolidation or coordination of the police departments of the Village and Town of Lancaster. Village Mayor Arthur K. Posluszny said consolidation would increase efficiency and eliminate duplication.

New York Transit Police officials are reprogramming the agency's arrest computer so they can quickly determine whether someone has a history of filing bogus criminal charges. Earlier this month, a man was arrested on charges of filing false complaints against 26 men who spurned his sexual advances. Then a homeless woman was also been charged with falsely accusing 13 men of rape and robbery in incidents dating back to 1986.

Federal, state and New York City officials launched a joint effort this month to increase penalties for hate crimes. The Anti-Hate Crimes Bill would double penalties on assault cases committed on the basis of race, religion, gender, age or sexual orientation.

Rochester police identified remains found on a roadside Oct. 10 as those of Cindy Thiele, 29. The body was found under similar circumstances as those of two other women, and police suspect a serial killer may be preying on prostitutes.

New York City police lieutenants this month approved a 15-month contract that includes wage hikes totaling 4.5 percent. The contract runs from Nov. 1, 1990 to Jan. 31, 1992.

New York Police Commissioner Raymond Kelly ordered all precinct commanders to "personally ensure" that police officers inform crime victims of their right to compensation and other services. The order came after a survey by the New York City Gay and Lesbian Anti-Violence Project found that many precincts did not give the required information or had outdated material on victims' rights.

A judge has upheld the right of an independent commission appointed by New York Mayor David Dinkins to investigate alleged police corruption. The establishment of the commission, which was challenged in a lawsuit by the Captains' Endowment Association, was "within [Dinkins'] authority," said the ruling by Acting Supreme Court Justice Harold Tompkins on Oct. 26.

PENNSYLVANIA — A convicted killer of a police officer, who was freed

from prison last year because prosecutors suppressed key evidence, will not have to face a retrial, a judge in Philadelphia ruled this month. Wilfredo Santiago, 28, who served six years before being released, was convicted of killing police officer Thomas J. Trench in 1985.

RHODE ISLAND — Augustine Comella was sworn in Oct. 27 as police chief of the Cranston Police Department, succeeding Kenneth Mancuso, who resigned Oct. 20 after seven years as chief. Comella was second in command under Mancuso.

Southeast

FLORIDA — The city of Homestead, hard hit by Hurricane Andrew in August, remains under curfew in what officials say is the longest peacetime curfew in the nation's history. The curfew has brought complaints from civil rights advocates, but police say it has helped them maintain law and order in the devastated town. About two-thirds of the 2,600 arrests since the hurricane have been of curfew violators.

Duval County school officials are buying 170 hand-held metal detectors for the district's 22 middle schools and 17 high schools. The move comes after a student shot his girlfriend in the back at Englewood High School last month.

Miami police officer Osvaldo Canalejo, 28, was killed when his patrol car was broadsided as he answered a disturbance call at Mercy Hospital on Oct. 12. Humberto Rodriguez, 62, who was injured in the crash, may be charged in the officer's death.

A Fort Lauderdale jury on Oct. 21 convicted Bradley Mills, 18, of murder in the mob beating death of a Vietnamese college student. Mills is the first of seven white youths to be tried for the Aug. 15 death of Luyen Phan Nguyen, a University of Miami medical student who was beaten after objecting to being called a "chink" at a party. Mills faces a possible life term when he is sentenced Nov. 23.

A judge ruled that much of the evidence against Danny Rolling, the suspect in the May 1990 deaths of five University of Florida students, can be made public, although the crime scene photos may be withheld. Rolling's trial is scheduled for Sept. 1, 1993.

LOUISIANA — The Louisiana Supreme Court on Oct. 20 ruled that an incompetent prisoner cannot be forced to take drugs that might make him sane enough to be executed. The decision said that forcing Michael Owen Perry to take drugs would violate his privacy rights and his protection against cruel and unusual punishment. Perry, 37, who was convicted in 1985 of killing his mother, father, a nephew and two cousins, is a schizophrenic who was found competent to stand trial.

NORTH CAROLINA — Deaths attributed to child abuse and neglect increased from July 1, 1991, to June 30,

with at least 51 reported, compared to 30 the year before, according to a report by the state Division of Social Services. In 21 of the cases, social workers were investigating abuse allegations when the deaths occurred.

TENNESSEE — The number of students in Memphis public schools who were suspended for carrying guns doubled last year, and incidents involving firearms have tripled in the last five years, officials said. Last year, 263 gun-toting students were suspended, compared to 86 in the 1987-88 school year. Three shootings have occurred at schools so far this year.

Knoxville police are looking for links in the killings of four women whose bodies were found this month in a secluded area outside the city. The first victim had a history of prostitution and investigators suggest that might prove a connection to the deaths of three other women, whose bodies were found Oct. 26 and 27 in the same area.

VIRGINIA — A new law that bars felons from working in nursing homes mistakenly prohibits the employment of people convicted of less serious crimes, state Senator Charles Hawkins said this month. Hawkins said the law cannot be amended until the Legislature reconvenes in January.

Midwest

INDIANA — Gary police officer Kenneth Wilson, 34, was sentenced this month to 120 days of work-release and fined \$1,000 for cocaine possession. Wilson has been relieved of his gun and reassigned to inside duty, pending a disciplinary hearing Nov. 10 before the Police Commission.

The Indiana Supreme Court on Oct. 16 struck down a century-old rule that allowed the introduction of prior sexual misconduct and convictions of defendants on trial for molesting children. The judges, in a 3-1 decision, decided that reasons no longer exist for making an exception to the general rule that does not allow evidence of defendants' prior sex offenses. The "depraved sexual instinct" rule was often used by prosecutors to bolster cases by showing defendants had been convicted or accused of similar crimes.

Indianapolis police officers who patrol Interstate highways 65, 70, 74 and 69 are getting special training to combat illegal drug distribution. Officials say the highways are major trafficking routes because they all converge on Indianapolis.

ILLINOIS — Stunned by criticism that he had not done enough to stem escalating public housing violence, Chicago Mayor Richard Daley ordered sweeping new security measures at the violence-ridden Cabrini-Green housing project this month. The measures include closing four mostly vacant high-rise buildings that had been taken over by gangs and relocating first-floor tenants of some buildings. He also called in a task force of local, state and Federal authorities to evict unauthorized tenants, apprehend known gang members and confiscate weapons. The move was

sparked by the shooting death of seven-year-old Dantrell Davis, who was slain by a rooftop sniper Oct. 13 as he walked to school. A 33-year-old man, who police said was a gang member aiming at a group of teen-age rivals, was arrested and charged with the murder. Leaders of 12 Chicago street gangs met Oct. 25 with religious and community leaders to hammer out a plan to stop violence that has claimed at least 40 lives in the city's public housing projects this year.

KENTUCKY — Owensboro police have been ordered to drive slower because of a rash of accidents involving police cruisers — five in two weeks and several others earlier this year. "You can't help people if you don't get there," said Police Chief Arthur Schwartz.

The attorney representing a man accused of killing Johnson County Sheriff Cecil Cyrus wants the sheriff's body exhumed for an autopsy. Ronald Rigg, who is defending Cyrus's accused killer, Flem Burchett, said a bullet from another person's gun may have killed the sheriff.

OHIO — A University of Cincinnati poll has found that 47 percent of the state's black residents say they feel unsafe in their neighborhoods at night, while 79 percent of whites say they feel reasonably secure in their neighborhoods. Researchers say the results show that blacks are feeling the brunt of the state's rising crime rate.

WISCONSIN — Two homemade bombs tossed at an unidentified police officer's home in North Hudson damaged siding and tore glass from a front door but caused no injuries. Police Chief Richard Jansen said he suspects pranksters are behind the incident.

Two former Milwaukee police officers who were fired for returning a bleeding, naked Laotian boy to convicted serial killer Jeffrey Dahmer, who later killed the youth, now acknowledge that they did not properly investigate the incident. John A. Balcerzak and Joseph T. Gebrish, who made the admission during an appeals hearing before the city's Fire and Police Commission, were dismissed in September 1991 by Police Chief Philip Arreola.



Plains States

IOWA — Des Moines police officers have written 4,540 speeding tickets this year, 41 percent fewer than in 1991. The rate compares to the 20,000 tickets written annually during the 1980's, said Police Chief William Moulder said policies on tickets will not be changed unless traffic accident statistics rise.

MISSOURI — The FBI is heading a search for two men accused of stealing \$1 million from an armored car in St. Louis on Oct. 23. Officials say the heist of United Missouri Bank funds is the city's biggest bank robbery.

The Oct. 21 execution of Ricky Lee Grubbs, a mildly retarded man convicted of fatally beating a neighbor, then setting fire to his home, brings to 26 the number of executions in the United States this year — the most

Around the Nation

since capital punishment resumed in 1976. The record year was in 1962, when 47 executions were carried out.

NEBRASKA — Former Omaha Det. Duane Pavel, 50, became the Sheriff of Boyd County this month, the fifth man named to the post since April.

SOUTH DAKOTA — The State Highway Patrol acquired two black Labrador dogs to help state law agencies sniff out illegal drugs in searches of residences and vehicles. One dog is stationed in Sioux Falls and the other in Rapid City.



ARIZONA — A program designed to reduce the number of violators who don't pay fines will begin in Maricopa County Jan. 1. Offenders unable to pay fines for traffic or misdemeanor violations can work off the penalties by sweeping floors in county buildings or washing county-owned vehicles.

OKLAHOMA — The property where the unfinished U.S. Marshals National Memorial stands may revert to its former owner, the Oklahoma Industries Authority, according to a member of the overseeing foundation. Contractors halted construction on the memorial two years ago after learning that \$600,000 in debts could not be paid.

TEXAS — A planned 911 upgrade will allow authorities to respond more quickly to rural emergencies, according to Corpus Christi officials. The project, due to be completed next year, will give addresses to thousands of houses and also upgrade and name streets in rural areas where about 160,000 people live.

An Austin grand jury on Oct. 27 indicted a rape suspect whose alleged victim asked him to use a condom. Joel Rene Valdez, 27, was charged with aggravated sexual assault stemming from the Sept. 16 rape of a 25-year-old woman, who says Valdez attacked her at knife point in her home. An earlier grand jury failed to indict Valdez, who said her request meant the sex was consensual.

UTAH — Ogden police say the second murder this month of a young girl by a 15-year-old is a copycat killing. The unidentified boy is charged with killing Billie Jo Hart, 5, and stuffing her body in a trash can behind his home. Earlier this month, another 15-year-old boy was charged with strangling Tara Stark, 10, and hiding her body in a ditch.



ALASKA — Sentencing has been postponed to next February for Eugene Maud, 17, who pleaded no contest in the February shooting death of Dillingham police officer Anthony Jones. In return for the plea, the state agreed to

drop two attempted murder charges and will ask that his jail sentence be capped at 65 years, instead of 99.

CALIFORNIA — Judge John Duerkirk, a white ex-prosecutor, will preside at the trial of three black men accused of beating white truck driver Reginald Denny during the Los Angeles riots in April. Duerkirk replaces John Reid, also white, who was chosen when prosecutors objected to a black judge and the defense nixed a white judge. Denny has filed a claim against the city as a precursor to a multimillion-dollar lawsuit for failing to protect him. He claims the Los Angeles Police Department allocated its resources to respond to the riots in a racially biased way. Nearly 2,000 people have filed similar claims.

A Los Angeles jury has awarded \$1.1 million to the family of Tracy Mulberry, who died after being beaten and hogtied by police following his cocaine-induced rampage in November 1990.

HAWAII — Honolulu County officials paid \$100,000 for five 1992 Chevrolet Camaros equipped with special police features, including a video system to record violations.

OREGON — The State Supreme Court ruled this month that county correctional agencies are not liable for the medical bills of inmates who receive treatment before they are sent to county jails. The ruling was sparked by an ongoing dispute between local police departments and correction agencies over caring for indigent prisoners.

Jackson County District Judge Ray White said he is not seeking publicity by ordering signs placed at the homes of two convicted sex offenders warning children to stay away. "I do feel that the courts have a duty to protect the public," he said, after one of the offenders agreed to resume court-ordered counseling so that the signs could be taken down from his Medford home.

Four suspects in the firebombing murders of a white gay man and a black lesbian were arraigned Oct. 9 in Salem. Charged with aggravated murder, intimidation, arson and assault: Leon Tucker, 22; Philip Wilson Jr., 20, Yolanda Cotton, 19, and Sean R. Edwards, 21. The indictments suggest the Sept. 26 firebombing was tied to race and the sexual orientation of the victims.

WASHINGTON — Spokane Police Chief Terry Mangan and Mayor Sheri Barnard are proposing a gun buyback program as part of a \$15,000 anti-violence package for the city. Under the proposal, the city would pay gun owners \$35 for turning in their firearms.

Beginning Nov. 19, Spokane County judges will order people convicted of drunken driving to meet with audiences packed with relatives of people killed or maimed in alcohol-related accidents in an effort to show DUI offenders the suffering they can cause.

The state Supreme Court ruled this month that authorities can continue to seize the homes of drug trafficking suspects even though they haven't been tried in court. The seizures amount to a civil action, independent of any pending criminal proceedings, the court said.

Study finds little progress in hiring blacks & Latino cops

Only 5 of 50 largest cities reach "ideal level"

Police departments in the United States made "only modest progress" in the hiring of black and Latino officers from 1982 to 1988, while the employment rate of female police officers "lags far behind either of the two racial minority groups," according to a recent survey.

The survey of police departments in the nation's 50 largest cities found that only five — Miami, Omaha, Neb.; Toledo, Ohio; San Francisco, and San Jose, Calif. — had "reached a hypothetical ideal level of employment for both black and Hispanic officers."

The study's author, University of Nebraska criminal justice professor Samuel Walker, found that 38 percent of the police departments — 19 of the 50 surveyed — had reached "the ideal level," a rate that was measured using an Equal Employment Opportunity Index. The EEO Index is determined by measuring the percentage of a racial group in the police department against the percentage of that group in the city's population. Police departments in the survey achieved a "theoretical ideal level of [minority or female] employ-

ment" if the agency had an index of .75 or higher.

According to the survey, which is a follow-up to studies conducted in 1983 and 1988, only 20 percent of the police agencies surveyed had reached the ideal level of Hispanic officers.

While women have made great professional gains in policing in the past decade, "no departments came close to reaching the ideal level of female officers," said the survey. It said that in about half of the departments, the percentage of female officers was between 10 percent and 14 percent.

Only two departments — Detroit and Pittsburgh — showed percentages higher than 20 percent, the study found, and in 15 departments the figure was less than 10 percent.

Nevertheless, for blacks, the percentages represent a marked improvement overall. In 1983, 52 percent of the agencies surveyed had EEO indices of less than .50. That number has since dropped to 16 percent, according to the current survey. "These data indicate some genuine progress in the employment of black officers over the past

decade," said the report.

On the other hand, the report said, there has been much less progress in the employment of Hispanic officers compared to black officers. "Currently, only 20 percent of the departments have an ideal number of Hispanic officers, compared with 16 percent in 1983. The percentage of agencies with an EEO Index of less than .50 for Hispanic officers decreased from 58 percent to 42 percent.

In a finding the study termed "particularly surprising," it noted that New York City, which has the nation's largest police department and has hired thousands of new police officers in the past decade, failed to improve its EEO Index. Of the 50 cities surveyed, New York ranked last in the relative proportion of black officers on the force. Only 3,121 of its 27,154 officers — or 11.4 percent — are black, compared to 28.7 percent of the city's population.

"The failure to increase the EEO Index for black officers means that the subculture of the department is dominated by the white majority," said the report.

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Charlotte finds two consent decrees are definitely not better than one

Following the lead of an attorney for a black police officers' association, the City of Charlotte, N.C., announced this month it would also appeal a Federal judge's ruling that ordered the city to end police promotional practices said to discriminate against white officers.

The pair of appeals challenge a permanent injunction issued Sept. 1 by U.S. District Court Judge Robert Potter, who determined that the city used racial quotas to promote four black officers to sergeant, passing over nine white officers when the promotions were made in February 1991. Seventeen white officers were elevated to the rank of sergeant during that particular

round of promotions, according to City Attorney Henry Underhill, who will represent the city in the appeal.

"The City of Charlotte is virtually caught in the middle on this," Underhill told LEN. "We have one outstanding order telling us to do what another court order now says is unconstitutional for us to do."

Underhill was referring to a prior consent decree, which is still in effect, that resulted from a lawsuit filed against the city in the early 1970's by the North State Law Enforcement Officers Association, a black police officers' association, seeking racial parity on the then nearly all-white police force.

The city filed its notice of appeal to the Court of Appeals for the Fourth Circuit on Oct. 15, a few days after similar documents were filed by attorney James E. Ferguson 2d, who is representing the North State association.

Ferguson termed Potter's decision "erroneous" because it is at odds with terms of the consent decree that has been in effect since 1974. "North State felt that this was too broad and too sweeping a decision, that it would mean a return to the days of a lack of significant representation of African-American officers in the Police Department. We felt that the decision went much

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One year later

A multi-agency honor guard joins in an Oct. 15 vigil marking the first anniversary of the dedication of the National Law Enforcement Officers Memorial. Prince George's County, Md., Police Chief David B. Mitchell joined the family of county Police Officer Ryan C. Johnson Sr., who was killed in the line of duty in April, in laying a wreath to mark the occasion.

Risk control

A veteran Detroit police officer who was named to a reconstituted Michigan Parole Board last month said his presence will help to ensure that fewer "high-risk" inmates qualify for parole.

Evin Fobbs, 38, a traffic enforcement officer in Detroit's 10th Precinct, was one of 10 people appointed by Michigan Corrections Director Kenneth McGinnis on Sept. 22 to serve two-, three- or four-year terms on the board. The board was revamped after coming under fire for paroling Leslie Williams, who later confessed to killing four teen-age girls in Oakland County following his release.

The changes, mandated by legislation signed last month by Gov. John Engler, are intended to make the board more accountable for its decisions and to put greater emphasis on public safety when considering the release of criminals. Board members will no longer be civil servants with lifetime appointments. Instead, appointees will have staggered terms and can be removed.

Fobbs told The Detroit Free Press said his appointment signals "an attempt to address some of the problems the Parole Board has experienced and how it selected individuals for parole." The nine-year police veteran, whose three-year assignment starts Nov. 15 and pays \$68,000 annually, added that he expects that "there will be fewer high-risk incarcerated individuals applying for parole" under the new guidelines.

Fobbs called the inclusion of law enforcement officers on the board a wise move because those with street experience are better able to judge

Flood leaves him high and dry

Illinois cop loses appeal — and his job — for leaving his post

An Illinois police officer who was fired for leaving his post to aid his family during a flood has lost a five-year battle to regain his job, after the Illinois Supreme Court ruled Sept. 24 that officials had acted properly when they dismissed him.

Former Des Plaines police officer Clifford G. Launius, 35, had sought to overturn a decision by the Des Plaines Board of Fire and Police Commissioners, which fired him in 1988 for abandoning his post during a severe storm. The dismissal had previously been reviewed by the Cook County Circuit Court, which upheld it, but was overturned in 1991 by a 2-1 decision of the Illinois Appellate Court. [See LEN, March 31, 1991.]

The Appellate Court ruled in 1991 that the dismissal was too harsh and that the board should consider a lesser punishment. The city then appealed to the state's highest court, which ruled that the evaluation of the evidence by the Appellate Court infringed on the authority of the fire and police board.

"A police officer does not have the option of performing his duties when he wishes," said the new ruling, written by Justice Thomas J. Moran. "Certainly fundamental to the needs of the service is that when

a police officer reports for duty, is assigned to a post, and is then refused permission to leave that post, he ought to obey the order of his superior officer and remain there."

On Aug. 13, 1987, Launius had reported to work at 7 A.M., during a heavy rainstorm that had started the night before. Eventually, the storm dumped more than nine inches of rain on parts of the Chicago area, including Wheeling, where Launius and his family lives.

Half an hour after reporting to work, where he was assigned to answer telephone calls and handle walk-in complaints, he called his wife, Lori, to check on her. She told him that the basement of their home was dry but that water from a nearby lake had flooded streets. Three more phone conversations occurred between Launius and his wife. According to testimony before the Des Plaines board, the last call came from Lori, who was hysterical because water was at the door of the home and seeping through window wells.

Launius was twice denied permission to go home to aid his family, but left three hours after reporting to duty. He spent the next 12 hours hauling sandbags to secure his home and those of his neighbors.

In the meantime, Des Plaines police officials had implemented a state of

emergency and ordered officers to work 12-hour shifts. Launius, unaware of the state of emergency, called the station that night and was told he had been suspended. Former Police Chief Joseph Kozenczak sought Launius's dismissal, charging that his insubordination undermined agency discipline.

The Illinois Supreme Court criticized the argument that Launius was under "duress" because he feared for the security of his home and the safety of his family. The court noted that by the time Launius arrived home, the rain had stopped, the water in front of his home was no longer rising, and his family was safe. "If [Launius] was under duress that morning, it had to be at an end by 11 A.M., because, by this time, plaintiff had checked out his home and he had proceeded to help out his neighbors," the opinion said.

Launius, an eight-year police veteran who has unsuccessfully tried to find work with neighboring departments and is currently employed by United Airlines, said he was disappointed by the ruling but does not regret his decision to return home that day.

"In the last five years, I've never thought twice about it," he told reporters. "I thought my family was in jeopardy, and I met with a callous reaction from my supervisor. I made my decision and I'll stand by it. If anything, I'd

go home a lot sooner next time."

Launius's attorney, Stanley H. Jakala, said he would advise his client to appeal the decision to the U.S. Supreme Court. The lawyer said Launius should have received the same punishment as another officer on the force who was suspended for four days because he did not report to duty during the flood. The decision, he said, "means that police officers can be fired in cases for attending to the needs of their family. Service to the department comes first; the family comes second."

Des Plaines officials said the ruling makes clear that police departments are paramilitary organizations that require strict discipline to function effectively. "What this case has done is given clear direction that if an officer disobeys an order and leaves his post, that is grounds for dismissal," said Burton S. Odellson, the city's corporation counsel.

One Des Plaines police detective said that Launius's action on that stormy day in August 1987 still held a sour taste for his former colleagues. "If we all walked off our jobs, what would you have in the community?" Det. Sgt. Larry Zumbrock told The Chicago Tribune. "It would be chaos. We're the first line of defense between law and order — and chaos."

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Peter C. Dodenhoff
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Jacob R. Clark
Staff Writer

Mary Mele
Subscriptions

Jose Martinez
Circulation

Contributing Writers: Orday P. Burden.

Field Correspondents: Kenneth Bovasso, Hugh J.B. Cassidy, Jack Dowling, Tom Gitchoff, T. L. Tyler, Ron Van Raalte.

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inmates than those "not exposed to the criminal justice system."

Fobbs, who is the Republican candidate in the November election for Wayne County register of deeds, said he will give up his police job to join the Parole Board. He said he does not intend to reinvent policy, but would adhere to new state parole guidelines.

Also named to the board for two-year terms were Gary Gabry, a retiring Ionia County prosecutor; L. Kathryn Hold, an adult education counselor with the Detroit Board of Education; and Andrea Morse of Grand Rapids, the U.S. attorney's adviser on victim-witness matters.

Named to three-year terms were Veronica Madrigal, a clinical social worker for Detroit Recorder's Court Psychiatric Clinic, and Berrien County Sheriff Stephen Marschke.

Appointed to four-year terms were Ronald Gach, a Parole Board member since 1985 who is a career correctional official; Joseph McCarroll, a Grosse Pointe Farms police lieutenant and attorney; Margie McNutt, a pretrial services investigator in Ingham County, and Jessie Rivers, a deputy warden at the Ionia Reformatory.

on station KFI-AM on Sept. 29. Gates was hired by program director David Hall after successfully completing a fill-in spot for three days in August. He has a one-year renewable contract, at an undisclosed salary.

Five days a week during the afternoon rush hour, Gates fields questions and listens to the opinions of callers. KFI marketing and promotions director Bill Lewis told LEN that Gates chooses a different topic for discussion during each of the three hours he is on the air. Lewis described the show as "issue-oriented."

"He's doing his own stuff. He doesn't style himself after anybody," said Lewis of Gates's on-the-air personality. Fans of Tom Leycis, the talk-show host who was bumped to make room for Gates, have complained about the switch, but overall response to the show has been good, according to Lewis.

In the line of duty

A bank robbery suspect shot and killed a North Carolina sheriff Oct. 12 before taking two bank employees hostage, one of whom died in a hail-lade of bullets fired by state law enforcement officers in an attempt to end a daylong standoff.

The suspect, Larry Donnell Jones, 38, has been charged with the murder of Martin County Sheriff Jerry Beach, who was shot in the stomach at the Branch Banking and Trust in Oak City, about 75 miles east of Raleigh, after answering a call from employees before the bank opened.

Beach, a 34-year law enforcement

veteran who was elected sheriff in 1989, died shortly thereafter at a nearby hospital.

Jones was himself wounded during the violent exchange, as was the second hostage, Ernest Wiggins, whose 58-year-old wife, Jean, was shot to death — apparently by officers who mistook her for the suspect as she fled the bank, said Charles Dunn, director of the state Bureau of Investigation. The Wigginses were janitorial workers at the bank, Dunn said.

Ernest Wiggins and Jones were wounded as agents moved in to end the siege. Both were hospitalized in critical condition but were expected to survive their injuries, Dunn told LEN.

Scores of local, state and Federal law enforcement agents surrounded the bank as negotiators tried for 15 hours to convince Jones to give up the hostages and surrender, Dunn said. Around midnight, Jones suddenly appeared in front of the bank with the hostages. "He went to the corner of the bank and was challenged by members of the FBI SWAT unit that were in that area. When he vacated the bank, members of our Special Response Team had moved in to deny him access to the building. He tried to go back into the building and one of the agents called on him to give himself up and for the hostages to get on the floor," Dunn said.

Flash-bang devices were used to distract Jones, who responded by firing his weapon, sparking a gun battle with authorities. "It was during this exchange of gunfire, a person then believed by the SRT members to be the suspect ran from the building. Two SRT members, thinking it was the suspect, fired. The person fell to the ground and then it was determined to be Mrs. Wiggins," Dunn said.

Dunn said that initial laboratory

analyses indicate that the bullets that struck Jean Wiggins were fired by SRT officers "and probably were fatal." Bullet fragments have been sent to the FBI for analysis. The FBI is also conducting an investigation into the robbery attempt and the killing of Beach, which could result in Federal charges against Jones, he added. Dunn could not provide information on whether Jones had a criminal record.

"It goes without saying that it was a regrettable situation," said Dunn. "I've spoken to the families [of both victims] and it's just a shame that so many people are hurting today because of the senseless acts of this one man. I've got agents that are hurting, too, because of it."

Over 1,000 people, many of them law enforcement officers, attended Beach's funeral. "It was one of the largest turnouts of law enforcement officers I'd ever seen," said Dunn, who had worked with Beach over the years and attended the ceremony. "He was just a very friendly, very fine, very dedicated officer. He was well thought of in the law enforcement community."

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The King affair — a view from up close

A candid conversation with LAPD Sgt. Stacey C. Koon

Los Angeles Police Sgt. Stacey C. Koon was the supervisor in charge at the scene of the Rodney King beating incident on March 3, 1991. Recently cleared of criminal charges by a Ventura County jury, his book, "Presumed Guilty: The Tragedy of the Rodney King Affair," was published Oct. 19 by Regnery Gateway. In it, and in the following exclusive interview with Low Enforcement News, he offers an eye-opening perspective on the King incident and the trial and devastating riots that followed. Koon, a highly educated 14-year veteran of the LAPD, speaks with the directness of a street cop, saying he loved putting bad guys in jail. At the same time, he offers a professional analysis of the policy and politics surrounding the King affair, lambasting the media, Los Angeles city officials, and Police Chief Daryl Gates for their roles in what has become, to nearly any observer, a real-life American tragedy.

Law Enforcement News interview by Jacob R. Clark

LEN: Why did you write the book?

KOON: The public has been deceived and duped by the news media and by the politicians as to what happened in this case. The truth has been a victim here. That's what came out in the trial, and that's why we were found not guilty.

I am strongly of the opinion that the public should be informed and educated as to what happened. The book arms the public with this information. It educates them as to what happened and why it happened. It empowers them so they can make their own decision. The defense has always wanted to expose everything to the public. The people who watched the entire trial on TV don't have any confusion as to why this was a not-guilty verdict. But not everybody had that luxury of staying home for eight hours a day to watch TV, so they relied upon the media for their little sound bites of information, and that was a total distortion.

LEN: It's been charged that only selected portions of the videotape were shown to the public. . . .

KOON: Absolutely right. The media never put out the first five seconds, which are the most crucial seconds of the entire tape. When the video first starts off, what you see is that Rodney King is fully prone on the ground. His arms are laid out, his legs are spread, he's in a full prone position. Within two seconds he is up on his feet, turning and physically making contact with Officer [Laurence] Powell. I couldn't get up off the ground that fast if my butt was on fire and Powell was a pool of water. Then there's the encounter. That's about two seconds. Then in the next three seconds that follow, Rodney King does a one-point landing. His head hit the asphalt. You see the head hit and bounce about 14 inches off the ground, slam back into the face, then come up about 10 inches off the ground, then hit a third time on the ground. That is where King sustained his facial injuries. He didn't get it from a baton; he got it from hitting the asphalt. That was one of three times that he hit the asphalt, two of which are documented on the video, one which happened pre-video. So those are the first five seconds that nobody ever sees on the video. And the press never went to explain the first four to six minutes which took place prior to the video, which set the tone for this entire thing to happen.

LEN: Your book draws a connection between the King incident and the chokehold issue in Los Angeles. . . .

KOON: A real quick and dirty synopsis of it is this: The black community in Los Angeles were outraged in the 80's when they believed that there was this genocide of the black race taking place through this chokehold. So they lobbied very hard to get this changed. Chief Gates, in January 1984, informed the City Council, the Mayor and the Police Commission of the consequences of doing away with the chokehold. An 18-month study had shown there was a 181-percent increase in officer injuries, and a 395-percent increase in suspect injuries. In addition, the workmen's comp settlements went up astronomically in the department because more and more officers were getting hurt. The arguments they gave for doing away with the chokehold were that it was going to save the city millions of dollars because this panacea was going to do away with all of these use-of-force lawsuits. Well, in 1980, we had \$800,000 in lawsuits. In 1990, we had \$19 million.

The other argument made at the time by representatives of the black community at the time was, "Beat my black brothers and break their bones, but don't choke 'em." They wanted us to hit them with this metal PR-24 stick and that's exactly what we've done for 10 years. By and large, the majority of people who get arrested are minorities, so statistically, minorities are being beaten more. Well, 10 years later, a videotape is made of Rodney King being beaten, which is the LAPD policy, procedure and training intact. There wasn't a politician in L.A. who was willing



to take the heat for having made this policy, so they make four officers the scapegoats in this. I took full responsibility and accountability for doing my job that night. I ensured that the policy and procedures were followed and they were.

LEN: How do you feel about the riots that erupted in response to the verdict?

KOON: A riot was inevitable; the verdict would have made no difference. If it was a guilty verdict, they would have had a rejoiceful riot. If it was a not-guilty verdict, they would have had a riot of anger. I worked in South-Central Los Angeles for four years, and the only surprise to anybody who knows the conditions down there — which are appalling — is why did it take so long for another riot to take place? And even though it was bad, I was surprised that it was not far worse than it actually was.

LEN: A Federal trial on civil rights charges is due to begin in February. Have you speculated about the outcome of that one?

KOON: The outcome will be the same. There's no doubt in my mind about it. If we can get 12 jurors who will abide by their oaths, meaning that they will view the facts in this case and make a decision based on the facts and the evidence that the law has brought before them, and not allow the media or other influences to impact on their decision, then we'll be found innocent.

LEN: On top of the criminal proceedings, Rodney King has filed a \$56-million civil suit in this matter. . . .

KOON: I want us to go to a civil trial. I want, once again, to have this exposed, for everybody to see how Rodney King is not injured at all. That's verified by the medical evidence. It looks terrible on the tape, but that's what LAPD teaches you to do. They teach you to professionally beat somebody so that they don't get seriously hurt. And that's exactly what took place on the tape. It's looks terrible. You or I, we'd be in real pain. He's not. He doesn't feel a single one of those baton blows. Do you know how scary it is to watch somebody get hit with one of these things, knowing that it's supposed to hurt, and the person feels no pain at all? You know how scary it is to shoot somebody twice with a Taser — 50,000 volts that drop an adult bison like a sack of potatoes — and it doesn't put him down? He was like a monster. That's scary.

LEN: What has been the response of fellow officers throughout your ordeal?

KOON: We have total, unequivocal support from street policemen and detectives. There is a major schism between LAPD management and the officers. Management totally stabbed street policemen and detectives in the back on this. But the street policemen know and the detectives know what has happened in this case and why it happened. They're not fooled at all. We have very strong support there.

LEN: You've been relieved of duty without pay since shortly

after the King incident. Do you miss the job?

KOON: I can never be a police officer again. That is another one of these tragic consequences, if you will. I love being a policeman. I love putting bad people in jail. It was a very rewarding career for me. I worked very hard to be the epitome of what I consider an outstanding police officer. I educated myself to the maximum. I've got a bachelor's degree in criminal justice, a master's degree in criminal justice, and another master's degree in public administration. I tried to work a variety of assignments. I love the street. I came to realize that more and more younger police officers are coming onto the job, and they had less and less direction from people who had been on the street. Having been on the street for eight or nine years before I got promoted to sergeant, I could understand where they're coming from. As a supervisor, you could empathize with them because you had been in their shoes before. As a sergeant, you're not really a police officer and yet you're not really management. You're kind of in between. You are the spokesman for the police officer to management and for management to the officer, and I really enjoyed that role.

I could not function as a police supervisor again in any capacity. I could not function on the street because as a street supervisor I have to make split-second decisions and they can't be hampered. I don't want to get stuck in a situation like Rodney King — and these situations happen all of the time on the street — where some action I take, or fail to take, causes my death or the death of a suspect or a citizen or another officer.

LEN: Would you fear for your safety on the street?

KOON: We've had a whole host of death threats from day one on all of this. I'd be a walking target out there.

LEN: An article that appeared in *The Los Angeles Times* back in May said that you were peddling a book called "The Ides of March." Is that the same book as the one now called "Presumed Guilty"?

KOON: What you have to understand is this: After this incident occurred, I was very bitter and very wound up because of the way the department and the media and the politicians were handling this. At the same time, we couldn't really tell our side of the story because of certain legal ramifications. So I built up this tremendous frustration, and my wife said, "Look, sit down and just start writing. Maybe that will help." The first day I sat down I think wrote for 18 hours. I wrote about chokeholds, and I wrote about Gates, and I wrote about the black leadership in Los Angeles. I wrote about anything that came into my mind. It acted like a catharsis for me, and it got a lot of the bitterness, a lot of the hate, a lot of the negative feelings out of me. It wasn't initially written as a book. It was written to purge. Since that time, though, that initial manuscript has been radically changed. It's been expanded, things have been deleted. It's much better than it was. The book reads like a novel now. When you start reading it you're going to have a hard time putting it down. You're going to be shocked. You're going to be repulsed. You're going to be disgusted, and you're going to feel like you were deceived and duped by the media and by the politicians.

I talk about my experiences on the LAPD as they applied to the King incident. I acted the way I acted that night based on my experiences as a police officer. There's a whole chapter, "The Education of a Street Cop," which goes into experiences that were in my mind that night that made me function the way I did, to put the reader in my shoes as a police officer, to see what a police officer goes through, and to know why you react the way you do.

LEN: This case precipitated major changes in the LAPD. It forced Chief Gates out of office, it probably hastened the retirement of Mayor Bradley, and it set off shock waves department-wide. Do you feel like a casualty in all this?

KOON: We're all casualties. The thing is, though, that the changes that have been made are all window-dressing. Use of force in the LAPD has not changed one iota from March 3, 1991, to today. This is the tragedy of the Rodney King incident, that the same situation could occur tonight in Los Angeles as occurred that night, because absolutely nothing has changed. Sure, they've done away with a police chief and they spout all of this stuff about community-based policing — which we've had for years in Los Angeles — but they haven't done anything different. All they've done is PR the hell out of people. The people who are suffering as a result of all of this are the law-abiding citizens because the handling of this case has inhibited the police in being able to perform their duties. We've always been an aggressive police force in Los Angeles. We seek out and question and stop people

Continued on Page 10

Judging the Police

Some responses from a Louis Harris/John Jay College public opinion survey
(results in percentages)

When Police Officers Are Charged with Alleged Misconduct, What Kind of a Committee Do You Think Should Judge Them?

	RACE			AGE						RESIDENCY				INCOME					
	White	Black	Hisp.	18-24	25-29	30-39	40-49	50-64	Over 65	City	Rest of Metro Area	Small Town	Rural	Less than \$7,500	\$7,501 to \$15K	\$15K to \$25K	\$25K to \$35K	\$35K to \$50K	\$50K and up
All Police	4	6	3	4	5	2	3	4	7	5	4	2	3	4	6	3	3	4	2
All Civilian	15	14	23	23	15	15	13	12	15	16	14	17	13	23	20	11	14	16	11
Mixed	80	78	75	71	80	82	82	84	76	78	80	81	83	70	75	85	81	80	87

How Would You Rate the Police in Your Community on NOT Using Excessive Force — Excellent, Pretty Good, Only Fair, Poor?

	RACE			AGE						RESIDENCY				INCOME					
	White	Black	Hisp.	18-24	25-29	30-39	40-49	50-64	Over 65	City	Rest of Metro Area	Small Town	Rural	Less than \$7,500	\$7,501 to \$15K	\$15K to \$25K	\$25K to \$35K	\$35K to \$50K	\$50K and up
Excellent	29	11	22	22	15	24	30	33	31	20	32	20	37	17	21	27	28	31	31
Pretty Good	42	43	39	42	46	44	39	38	38	41	40	45	41	37	38	42	42	41	44
Only Fair	19	30	24	19	21	22	21	19	21	26	16	25	16	29	26	22	18	21	17
Poor	7	16	13	13	17	8	7	6	7	12	9	6	3	15	12	8	10	6	6

How Would You Rate the Police in Your Community on Treating People Fairly — Excellent, Pretty Good, Only Fair, Poor?

	RACE			AGE						RESIDENCY				INCOME					
	White	Black	Hisp.	18-24	25-29	30-39	40-49	50-64	Over 65	City	Rest of Metro Area	Small Town	Rural	Less than \$7,500	\$7,501 to \$15K	\$15K to \$25K	\$25K to \$35K	\$35K to \$50K	\$50K and up
Excellent	22	9	17	12	9	18	22	27	30	15	24	20	24	11	16	19	23	23	27
Pretty Good	46	29	37	40	42	50	43	40	40	44	43	40	45	42	36	44	41	49	44
Only Fair	21	36	30	29	30	22	23	20	23	28	21	30	12	27	31	26	24	21	20
Poor	9	26	13	19	19	9	10	8	6	13	9	8	19	19	17	11	10	7	8

Poll looks at how to review local police

Continued from Page 1

education (37 percent), those with an income of \$7,500 or less (38 percent) and those with incomes of \$15,000 to \$25,000 (36 percent). Only among those age 65 and older did a plurality — 44 percent — believe that police officers

would be "about right" in their judgment of other police, compared to 43 percent who said police would be too lenient.

By contrast, more than half of those surveyed believe that civilians would do an adequate job of judging police

misconduct, with 56 percent saying civilians would be "about right" in their judgment of officers. Only 7 percent thought civilians would be too lenient, while 35 percent thought civilians would be too strict.

When the survey asked whether

police treated people fairly, it found that 63 percent of the respondents gave the police favorable grades, while 35 percent responded negatively. Perceptions that police treated people fairly were split along racial lines, with 68 percent of whites giving positive responses such as "excellent" or "pretty good," and 62 percent of blacks giving the police negative responses such as "only fair" or "poor."

Police tended to receive positive responses on the fair-treatment question from people age 40 to 65 (up to 70 percent) and those living in rural areas (69 percent). Highly educated respondents were more likely to perceive police favorably (about 70 percent) than those with less than a high school education, 50 percent of whom perceived police negatively.

Asked to rate police in their communities on not using excessive force, 68 percent said police made an "excellent" or "pretty good" effort, while 30 percent rated those efforts "only fair" or "poor." Generally, blacks judged the police more harshly in this regard than

whites did.

"Following the Rodney King trial, it is not surprising that blacks are more critical of the police for their excessive use of force," said Taylor. "What is more surprising is that, overall, only 46 percent of blacks rate their local police negatively on this."

Overall, 71 percent of whites felt police efforts against the use of excessive force were adequate. Young people, inner-city residents, people with low incomes and those with less than a high school education were more likely to rate police negatively. Those with higher levels of education and income were more likely to rate police positively.

"These poll results show most Americans have favorable opinions about the police in their communities," Taylor observed, "but that the police have much worse relations with blacks, with young people and with the disadvantaged. However, this is a nationwide poll. No doubt some individual police departments have much better relationships with their communities, while others do much worse."

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Guarding Presidents — and much more

The U.S. Secret Service is best known as protector of the President, Vice President, candidates for those jobs, their families, and visiting heads

BURDEN'S BEAT

By Ordway P. Burden

of state. They've had their hands full during the election campaign, what with four candidates and their spouses running hither and yon in search of the undecided voter.

Secret Service Director John W. McGaw told the National Law Enforcement Council, which this writer chairs, that by early September, President Bush, Vice President Quayle, Gov. Bill Clinton and Senator Al Gore, along with their spouses, had visited some 500 cities and spoken at more than 3,000 sites. That, friends, requires a lot of work for the Secret Service and local law enforcement agencies.

Even with help from personnel of its sister agencies in the Treasury Department — the Bureau of Alcohol, Tobacco and Firearms, the Internal Revenue Service, and the Customs Service — the Secret Service is heavily burdened during a Presidential election year. That's why McGaw went out of his way to say thanks to the law enforcement people represented by the 15 organizations in the NLEC. "We couldn't function at all without your help," he said. "We couldn't go into any city, any county or any state without local support. And that local support is not reimbursed — it comes out of their budget."

The Secret Service got into the

protection business after the assassination of President William McKinley in 1901. Up to that time, the agency was known primarily as the very effective nemesis of counterfeiters. In fact, the service was originally established for just that purpose.

Its birth occurred in 1865, just after the end of the Civil War, when, it was estimated, nearly half of all currency in circulation was counterfeit. The story goes that on April 14, 1865, Treasury Secretary Hugh McCulloch reported to a meeting of President Abraham Lincoln's Cabinet that counterfeiting was out of control. "I believe," he said, "that there should be a continuous organized effort, aggressive rather than merely defensive, and that the work should be undertaken by a permanent force managed by a directing head."

"I believe you have the right idea," the President said in directing McCulloch to start the Secret Service. It was the afternoon of the day Lincoln visited Ford's Theater. There is a certain irony in the fact that the Secret Service was born the same day as the first Presidential assassination.

The Secret Service was spectacularly successful in its initial mission. Within a year, more than 200 counterfeiters had been captured with the help of local police. By the turn of the century, it was estimated that only one in every 100,000 dollars of paper currency and three in every 100,000 dollars in coins were bogus.

Counterfeiting is still a relatively uncommon crime today. McGaw said that about \$17 million in counterfeit money was circulated in the United States last year. Another \$70 million

was seized before being passed to the public. That's pretty small potatoes as white-collar crime goes today. Incidentally, of the \$17 million in bogus money that did get into circulation, 37 percent was produced in foreign countries, McGaw said. Colombia, which is noted for its drug traffickers, is also high on the list of countries with lots of counterfeiting of United States bills.

"United States currency is the easiest currency to counterfeit," the Secret Service chief said. "It's because it's so accepted around the world, and the public in the United States has not yet gotten to the point where it wants to build in a lot of the security features that would make it a harder dollar to manufacture."

Last year, however, the Treasury

Department announced that over the next few years, new issues of bills above \$1 would incorporate a tiny polyester thread and a microscopic line of type that would make them much harder to duplicate on copiers. These new security features would be visible when the bill is held up to a light, but would not be picked up on existing copiers.

McGaw noted that high-quality counterfeits turned out by advanced color copiers have bedeviled the Secret Service in recent years. "Twenty-five percent of our counterfeiting arrests are of people using multi-color copiers," he said. "Because of the speed with which they can make these notes, a person who wants to can flood a city very quickly."

Fortunately, he added, access to

these advanced machines has been fairly well controlled by the manufacturers. The next generation of copiers — computerized laser copiers — will create bigger problems. But, said McGaw, "there's technology in these units that will allow them to be programmed to recognize genuine currency and just print a black sheet."

Ah, the march of high technology.

(Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 24 Wyndham Court, Nanuet, NY 10954-3845. Seymour F. Malkin, the executive director of LEAF, assisted in the preparation of this article.)

Clouds of ethics charges swirl around FBI Director

FBI Director William S. Sessions, who is the subject of a preliminary criminal inquiry by the Justice Department's Office of Professional Responsibility, canceled a meeting scheduled for Oct. 15 during which he was to discuss the allegations of ethics violations with investigators.

The meeting was canceled because Sessions' attorney, James R. Phelps, said he needed more time and because the Justice Department had refused to provide him with details of the "broadly stated" charges against the Director.

The inquiry is focusing on whether Sessions and his personal assistant,

Sarah Munford, billed numerous personal long-distance telephone calls to the Federal Government as well as accusations made in an anonymous letter reportedly written by an FBI agent to President Bush and Attorney General William P. Barr, which accused the Director and his wife, Alice, of misusing Federal cars and airplanes for personal travel. Munford was placed on administrative leave by the Justice Department on Oct. 15, pending dismissal.

The probe is also reportedly looking into whether Sessions gave his wife a building pass to FBI headquarters that gave her access to his private office without having to go through the reception area. That charge was detailed in a June 24 letter to the FBI's public affairs office from Ronald Kessler, who is writing a book about the bureau. The charges, which the author said he had uncovered in his research, appeared in the form of questions Kessler planned to ask Sessions in an interview.

The probe pits the FBI Director against his superior, Attorney General Barr, with Phelps charging that Justice Department employees were leaking details of the accusations to the press. "I will not speculate about why confidential information is being leaked," said Phelps. "It is troubling that Department of Justice's personnel seem to be violating their own rules."

Sessions' cancellation of the meeting with ethics investigators put the inquiry into limbo for the time being.

The investigation also put a chilly cast on the relationship between Sessions and Barr, and makes Session the subject of a probe by his own agents. Sessions confirmed in a statement that he is under investigation but said he was unaware of specific charges. Nevertheless, the Director said, he was "confident of the outcome."

Among other charges involving Sessions that are reportedly under review is an allegation that the Director tried to avoid paying local taxes in Washington, D.C., by listing his membership in a San Antonio, Tex., country club as evidence that he intends to retire there when his 10-year term ends in 1997. Sessions is a former Federal judge in Texas.

Kessler said on Oct. 13 he had passed along charges that Alice Sessions unsuccessfully sought a \$100,000 contract for security alarms at the Sessions' Washington home, to be installed by Donald Munford, the husband of Sessions' aide. The contract was rejected by FBI officials, but Munford did receive \$5,000 for conducting an estimate. Alice Sessions reportedly sought the security system because she believed the FBI had wiretapped the home.

Another allegation asserts that Sarah Munford showed her FBI credentials to a Texas state trooper last year in an unsuccessful attempt to dissuade the officer from giving her son a speeding ticket.

The murkiness of the charges has
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NJ sheriff's office criticized for actions at police shooting trial

Some Bergen County, N.J., sheriff's deputies may face criminal contempt charges, after an investigation by the state Division of Criminal Justice found that the officers improperly tried to influence the outcome of the racially charged trial of a white police officer charged with fatally shooting an armed black teen-ager.

A report released by Attorney General Robert J. Del Tufo on Oct. 13 said the deputies violated court orders and state guidelines while providing security at the trial of former Teaneck police officer Gary Spath, who in February was acquitted of manslaughter in the April 1990 killing of 16-year-old Phillip C. Pannell. The deputies, according to the report, showed "a lack of professionalism and sensitivity to the importance of maintaining a fair and impartial atmosphere."

Among the violations spotlighted in the 18-page report were "three unsettling and disturbing incidents" during the course of the trial, including the arrest of a prosecution witness on a two-year-old warrant that occurred in front of a television camera crew after the witness left the stand; bringing into the courtroom a police officer who was shot and paralyzed by a teen-ager in 1985, and producing phony press credentials to pose as reporters as they videotaped a demonstration in support of the Pannell family.

Although the report did not establish a basis for filing criminal charges against the deputies who were criti-

cized, Del Tufo asked a judge to decide whether contempt proceedings should begin. The report did not specify which officers or supervisors might face contempt proceedings.

Del Tufo also said he sent the report to the administrative arm of the state Supreme Court to determine whether new court security measures are needed as a result of the findings.

Sheriff Jack Terhune released a statement in which he said he was glad that the report "concluded there was no wrongdoing by members of the Sheriff's Department." He said he disagreed with "certain conclusions" raised in the report, but offered no specifics.

"The men and women of the Bergen County Sheriff's Department have always complied with the orders of the court and remain accountable for their actions," he said. "I am proud to serve with these fine officers."

Terhune added that he agreed with the Attorney General that "perhaps revisions of certain guidelines are warranted," but he noted that a bill that would have prohibited the impersonation of news reporters by police — a measure introduced after the Spath trial incident — was defeated in the State Assembly last May.

The state tried unsuccessfully to move the trial in August 1991, partly because Terhune was a lieutenant in the Teaneck Police Department at the time of the Pannell shooting and headed the departmental investigation into the shooting. Terhune told the court he was

a potential witness in the trial so courthouse security supervision was turned over to Undersheriff Jay Alpert. Terhune was never called to testify.

At the start of the trial, Judge Charles R. DeGisi ordered that no cameras were to be allowed in the courthouse except for one television and two still cameras in the courtroom. He also ordered that no spectators be admitted to the courtroom during the trial, unless he granted permission.

On Jan. 17, however, five sheriff's deputies led by Capt. Frank Benedetto approached state's witness Melvin DeBerry as he left the courtroom and
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How sweet it is! Smart drivers get their reward from Vermont troopers

Out-of-state motorists visiting Vermont this month to view its spectacular autumn foliage might drive away from an encounter with a state trooper with a sweet surprise — half-pint jugs of the state's renowned maple syrup.

The giveaway is part of a joint effort by the State Police, the state Tourism Board, and the Vermont Department of Agriculture to recognize safe drivers and promote tourism in the Green Mountain State by offering samples of its most famous product, said special operations commander Capt. Robert Vallie.

As part of the five-week program

begun this month, crime prevention officers will pass out the syrup for one week at highway rest areas in each of the agency's five troop districts.

"It's really to draw some attention to safe driving and crime-prevention practices," Vallie told LEN. "If people drive in and they had their children in child restraints and they were locking their car door as they left the vehicle to protect their valuables, we might have an officer approach them and thank them for acting responsibly." The trooper then offers the motorist a complimentary jug of syrup, along with safety and crime prevention tips.

Vallie said the effort has received positive reviews from motorists, some of whom "were shocked to be approached by an enforcement officer, then have it be a positive interaction. That's something we were hoping to get across — that an encounter with a law enforcement officer doesn't always have to be negative. There's a lot more to us than just passing along a speeding ticket."

Vallie said he expected that about 500 jugs of syrup donated by the Vermont Maple Producers Association would be distributed by troopers during the promotion.

Barry, Cronkhite:

Management in the post-King era: Part II

By Robert J. Barry
and Clyde L. Cronkhite
(Second of two parts.)

A very important concept of human relations is to treat people the way you want them to treat others. Police employees cannot be expected to treat the public any better than management treats them. The Rodney King incident in Los Angeles can provide an opportunity for management to show its understanding and provide support for employees.

Negative, somewhat distorted media coverage of the King incident has brought about a perception by many police personnel of a lack of support on the part of a public that harbors negative attitudes toward law enforcement. This perception is causing increased stress on individual officers. In some cases this has bred unhealthy working environments, including the erosion of physical and psychological well-being, hypertension, heart disease, alcohol and drug abuse, and high rates of divorce or suicide. Law enforcement leaders committed to developing a healthy work environment should consider implementing several management strategies to cope with the fallout of the King case.

1 Determine the specific effect on the organization. Self-examination of an agency includes select interviews with all levels of employees, organizational inspections, surveys and audits, quality circles, active listening, exhibiting interest in the problem, and then taking active steps to reduce the stress caused by the issue.

1 Reaffirm a belief in the basic mission. An honest mission statement serves to define the purpose and intent of the organization, allowing personnel to view their self-worth and understand their true value to the great majority of the com-

munity. In times of adversity it is essential for all personnel to reaffirm their commitment to the organization's basic mission.

1 Live the organizational values. Law enforcement organizations have been fashioned after the autocratic, quasi-military model. Yet progressive managers understand that personnel achieve greater productivity and better mental health if pressed toward excellence by management through values. These values determine what both the organization and the individuals within it consider to be appropriate and inappropriate conduct.

1 Encourage communication and dialogue.

Law enforcement organizations that encourage freedom of communication have a decided advantage in times of stress or crisis. Ideas, insights, thoughts and emotions may be openly exchanged, and numerous problems can thereby be resolved or avoided. Methods of encouraging open communications include advisory groups, open-door sessions, retreats, surveys, task forces, employee councils, administrators' visits to roll calls, union meetings, and an understanding of the concept of active listening (see below).

1 Demonstrate a caring about people. True caring includes trust, pride and a sense of commu-

nity. Administrators should nurture these principles in an effort to improve the working environment. Such a workplace climate should be relatively free of negative influences.

1 Vent frustrations. Most psychotherapy includes the concept of ventilation, to verbalize emotions and "get it off your chest" rather than to internalize the problem, brood and let it accumulate. Administrators must actively support this notion of venting emotions and understand the need to show concern.

1 Ensure fairness. Administrators have the
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Osborn:

Asking the right questions

By Steve Osborn

The police and gun control is the study of the history of failure. No one wants guns in the hands of violent people. Yet more often than not, police set their sights on the wrong target, and fail to accomplish that which they set out to do.

The latest myth, presented to us by the American Medical Association and the Centers for Disease Control, blames teenage violence on guns. If police buy into this misconception, they will once again misalign their sights, and fail once more. By examining gun myths and misconceptions, we can gain a better perspective on where our efforts ought to be directed in violent crime control.

Myth #1: Guns are responsible for crime. Guns (and knives, baseball bats, and any other potential weapon) are amoral. They do not know right and wrong, and make no independent decision to do good or evil. Sure, if there were no guns in this country, there would be no gun crime. That will never be the case. There are just too many guns, and the law abiding will not give them up voluntarily. Gun restrictions have only, ever, had an effect on the law abiding for obvious reasons: Criminals break laws, they don't follow them.

Myth #2: Gun control reduces crime. Statis-

tics lie, so let's look at the reality of the streets. New York, Los Angeles and Washington are cities with some of the strongest gun-control laws in the nation — and some of the highest rates of violent crime. Gun control simply has not worked. Criminals obtain guns and use them because it is more, not less, advantageous for them to do so. The deterrent effect of laws has had no effect on criminal behavior. One thing is certain. A criminal in jail commits no violent crime in any community.

Myth #3: Assault rifles must be banned. This is where the hue and cry is directed today. More money and effort is being spent in an attempt to ban assault rifles than any other program dealing with guns. In the June 30, 1992, issue of Law Enforcement News, we are told that these weapons account for only 1.5 percent to 23 percent of all weapons, and only 6 percent to 10 percent of weapons traced by the Bureau of Alcohol, Tobacco and Firearms. In other words, if we ignore 90 percent of what we perceive the problem is (guns), then we are going to fail. It's pretty simple.

Myth #4: Only the police and military need guns. There are some Korean-American businessmen who survived the recent Los Angeles riots who might disagree. While in many other

countries only the police and military have guns, it's these same countries where the police and the military subject their citizens to the same type of violence that our criminals produce.

Myth #5: There is no solution. Wrong. If we address the right problem in the first place, then a solution is certainly possible. The answers exist; we've simply been asking the wrong questions.

First, we must address the problem of ethics and values in our society. We don't teach them to our young people anymore. We teach sex education and pass out condoms, but refuse to let kids pray in school. Our families don't teach values. Life has become so cheap that kids kill over another's jacket or sneakers. The Centers for Disease Control addresses violence in the inner city. It is in the inner city that responsible people must stand up, take charge, and demand an end to the violence. Families and churches must once again teach values to their children, including the sanctity of human life. The law abiding must develop an attitude of "zero tolerance" for gang members and drug dealers, and report them to police at every opportunity. Rural America would then do well to follow their example.

Second, we must concentrate our efforts on offenders, not honest, law-abiding people. Honest people are simply not the problem. A good person needs no more reason to own or collect guns than another who owns or collects automobiles. Both are capable of inflicting injury or death, and both require the owners to be responsible. Let's educate and train gun owners (something the NRA has been doing for over 100 years), and let's not give violent offenders chance after chance to commit repeat acts of violence.

Ask most police officers, and they will tell you they favor gun control. Ask them what that means and you get a whole different picture. Police, like most of us, want an end to violent crime. They want an end to an overloaded and impotent criminal justice system, where legal technicalities become more important than the spilled blood of an innocent child. They want violent offenders locked up. They do not fear law-abiding gun owners who hunt, compete with, or simply enjoy firearms.

If we really seek a solution to the gun problem and violent crime in America, we need to begin by asking the right questions first.

(Lieut. Steve Osborn is the program manager for leadership training with the Oregon Board of Police Officer Standards and Training. He served for 12 years with the military police in the U.S. Marine Corps, with the rank of captain, and has also been a deputy sheriff in Coconino County, Ariz. He holds a bachelor's degree in psychology, a master's degree in police administration, and is a graduate of the FBI National Academy and the School of Police Staff and Command at Northwestern University.)



Minority hiring in policing said to fall short of the mark

Continued from Page 3

report. The lack of black officers on the force "provides some background to the violent actions" of New York City police officers attending a rowdy police union rally last month, the report said. [See LEN, Oct. 15, 1991.]

The study added that the department would need to add 3,000 more black officers to bring the agency's EEO Index to "the ideal level."

Despite widespread perceptions that the Los Angeles Police Department is racially insensitive and out of touch with its minority constituents, the study indicates that the agency has a "perfect" EEO Index of black officers. Of the department's 8,020 officers, 1,127 are black — a 14.1 percent rate that is slightly higher than the 14 percent proportion of blacks in the city's overall population.

"Events since the beating of Rod-

ney King... indicate that the department has a serious police-community relations problem. This suggests that while affirmative action in employment is important, it is not the only factor influencing a police department's performance," said the study.

Walker, the study's author, said in an interview with LEN that he was "shocked" by the lack of progress made by the New York Police Department in the recruitment of black officers during the last decade. "In New York, they must have hired about 16,000 officers in that time period. It's staggering. They've lost a tremendous opportunity," he said.

In New York, newly appointed Police Commissioner Raymond Kelly announced a strategy to increase minority representation, a move that was prompted in part by the Walker report's findings. [See related story, Page 1.]

DoJ ethics probers set their sights on Sessions

Continued from Page 7

been exacerbated by details that have emerged through news leaks and those attributed to unnamed sources. Two Democratic members of Congress, Senator David Boren of Oklahoma and

Representative Don Edwards of California, said the allegations against Sessions may have been timed to undermine the FBI's inquiry into charges that Justice officials concealed evidence in a case involving an Atlanta bank's \$4 billion in illegal loans to Iraq.

Less than a week before the allegations against Sessions were disclosed, the FBI was examining the bank fraud case involving the Atlanta branch of the Italian Banco Nazionale de Lavoro, after a Federal judge accused the Justice Department and the Central Intelligence Agency of withholding information from him and prosecutors trying the case. That led to the DOJ and the CIA trading charges over which was responsible for providing incomplete information on how much the Government knew about the illegal loans.

Boren, who heads the Senate Select Committee on Intelligence, said Oct. 14 that the "timing of the accusations against Judge Sessions makes me wonder if an attempt is being made to pressure him not to conduct an independent investigation."

Edwards, a former FBI agent who supports Sessions, called the charges against the Director "trivial." He said the Director had rankled the Bush Administration by refusing to politicize the FBI, remaining silent on Bush's long-stalled crime bill, and his willingness to address abuses within the bureau, including discrimination against minority agents.

"They had the knives out for him shortly after Bush was elected because he was Reagan's appointee and they tried to get rid of him then," said Edwards.

COMING UP IN LEN:

A special post-Election Day roundup, with coverage of runs for office, referendums, ballot initiatives, and much more.

If it affects law enforcement, we'll tell you all about it.

NJ sheriff rapped for trial actions

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arrested him on a probation violation stemming from a drug conviction. DeBerry surrendered but was taken to the courthouse lobby instead of the Sheriff's Department upstairs, and his arrest was recorded by a waiting television crew. The report said some officers cleared spectators out of the lobby to give the camera crew an unobstructed view of the arrest.

Later in January, Sgt. Chris Larsen allowed paralyzed New York City police officer Steven McDonald into the courtroom while the trial was in session and ordered other officers to wheel him to the defense counsel's table, where Spath was sitting.

Prosecutors charged that the action was a blatant ploy to curry sympathy for Spath and influence the jury. It also prompted DiGisi to remove the jury and admonish Spath's lawyers and sheriff's department employees for disobeying his order. DiGisi replaced sheriff's deputies with state troopers in the halls outside the courtroom later that day.

Spath, who retired from policing shortly after his acquittal, testified he shot Pannell because he thought the fleeing youth was going to shoot him. Police found a loaded gun in the teenager's coat pocket. The shooting incident sparked a night of civil unrest in Teaneck, a town that prior to the shooting had prided itself on its ethnic diversity and racial tolerance. Spath's acquittal by an all-white jury sparked demonstrations, but no violence.

Gains despite downsizing

Cleveland PD offers model for minority hiring

If New York police officials need a model to improve their minority recruitment program, they may need to look no further than Cleveland.

Professor Samuel Walker, the University of Nebraska researcher whose study of minority recruiting ranked the New York Police Department at the bottom in terms of recent progress, pointed out that the Cleveland Police Department has made steady gains in attracting minorities, particularly blacks, to the force. That progress was made despite an overall decline in the number of Cleveland police officers in the last 10 years, he said.

"Cleveland had one of the poorest records 10 years ago," Walker told LEN. "They have made substantial progress even though the department is shrinking in size, which I think is an important factor. In theory, you would think they would have every excuse not to have any progress. Yet they managed some."

Walker's survey shows that there are 439 blacks among the Cleveland department's 1,668 officers, a ratio of 26.3 percent. By comparison, blacks comprise 46.6 percent of the overall city population. While the department has some ways to go before it attains the ideal level of

minority representation, Walker said, it has managed to increase its Equal Employment Opportunity Index by 115 percent.

The EEO Index, the measure used by the survey to gauge the performance of departments in minority employment, is a ratio of the percentage of black officers to the percentage of blacks in a city's population.

Sgt. Marshall Sewall, who heads the Cleveland Police Department's minority recruitment unit, said a consent decree forced the agency to bring up the numbers of minorities in the agency. But he also pointed to the department's "vigorous" recruitment program to explain the steady rise in the number of minority officers.

"We have 14 officers who go out and vigorously recruit people for the department. We go out to different churches, colleges and businesses, and attend career days at colleges," he said.

Sewall added that an aggressive media campaign utilizing posters and newspaper, radio and TV spots has also helped attract minorities to apply to the agency. Applications from people living outside Cleveland are encouraged, and officers submit the applications to the city's Personnel Department for registering, eliminating the need for out-of-town applicants to submit the

forms in person.

A key to the department's recruitment efforts is assigning recruiting officers to targeted neighborhoods by race. "We find this to be very successful because they seem to communicate better with people," Sewall said.

Under a 1984 amendment to the consent decree, the department is required to hire three minority officers for every four whites chosen. The decree, which is in effect until the agency reaches a 33-percent minority officer goal, requires that 70 minority officers be hired each year. Sewall said that as of September, the force had 1,661 officers, 30.3 percent of them from minority groups. He estimated that 43 percent of every 100 recruits are minorities.

Walker, whose study did not speculate on reasons why some departments lag behind others in minority recruiting, said that progress in attracting minorities to policing "is not something that just happens automatically."

"Somebody has to take some initiative and responsibility, and whether that's people filing suits, a mayor or a police chief—somebody somewhere has got to take the initiative and make it happen," he said.

Kelly, an NYPD insider, gets the nod as top cop

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choice. The decision was delayed by a raucous protest staged Sept. 16 by about 10,000 members of the Police Benevolent Association, demonstrating against the Mayor's plan for an all-civilian police review board. [See LEN, Oct. 15, 1992.]

Dinkins reinterviewed all four finalists for the job to see how they would have handled the rally, which some observers likened to a near-riot. Kelly reportedly received high marks for his handling of the demonstration and his willingness to discipline officers who had engaged in misconduct.

Kelly becomes Police Commissioner at a time when officer morale is low and the department has come under increasing criticism for being insensitive to minorities. The situation has been aggravated by a deteriorating relationship between Dinkins and the rank-and-file.

Kelly pledged to address low morale and change perceptions that the department is insensitive to minorities. "This department has been through some very rough times in the past year," he said. "It's now time to put it behind us. I want to rekindle pride in this great organization, both internally and with the community that we serve."

He said he will work with the police union to improve the image of the Police Department and hopes to end the public feud between Dinkins and PBA president Phil Caruso, with whom Kelly has a cordial relationship. "This is not an easy city to police. We have bridges to build. We have trust to earn. It will be my honor to do both," Kelly said.

A few days after his appointment, Kelly vowed to increase outreach efforts to minority communities and recruit more minority officers to the department, which is 73.5 percent white. The Commissioner made his remarks

after a report by the University of Nebraska placed New York last among 50 major cities in terms of minority representation on police forces. The study showed that only 11.4 percent of the force is black, although blacks make up 28.7 percent of the city's population. [See related story, Page 3.]

Kelly said he would seek revisions in the testing and screening procedures that some have charged are biased, and embark on an "all out" marketing campaign targeting minorities. Before his appointment, Kelly had been making weekly visits to churches in black neighborhoods, in order to increase interest among youths in a policing career.

The Commissioner also announced plans to assign 50 black and Latino officers to full-time recruitment duties. "I see a critical need for increased minority representation in this department, and this is one of the ways to do it," he said.

Seizure of cars takes a bite out of prostitution, DUI in Portland

Continued from Page 1

in 1991. Recidivism rates are lower for would-be johns of prostitutes — about .5 percent — than for DUI offenders, which stands about 2 percent, said Hediger.

Hediger cautioned that the ordinance is not a panacea that has forced prostitutes out of business. Nevertheless, noticeable street-level activity is on the decline, he said, and johns are more cautious than they used to be. "It's still out there. It's still going on. But the feeling in the neighborhoods is that [the activity] has been greatly reduced."

While the numbers are impressive, has the ordinance improved the quality-of-life for Portland residents in areas where street-level prostitution was once a fact of everyday life? One community organizer thinks so.

"The neighborhoods that have been affected by prostitution have seen some real decreases in the amount of customers harassing women," said Sharon McCormack, a crime prevention specialist for the city's Office of Neighborhood Associations, an umbrella organization for the city's 92 neighborhood associations. "And residents who live

adjacent major thoroughfares that have been used as prostitution strips report a real decrease of johns and prostitutes in the area."

Asked whether such ordinances could benefit other communities, McCormack did not hesitate. "Absolutely. Depending on the state or the city, a lot of communities have fairly weak laws or consequences for drunk driving. A lot of people would view the vehicle as a weapon, and we're really seeing this as taking the weapon out of someone's hands so that they can't hurt somebody else."

Forum: Management in the post-Rodney King era

responsibility for developing fairness in the organization. Unfair disciplinary factors include favoritism, emphasis on negative discipline, external pressure, undue length of time of process, lack of written criteria or guidelines, and poor policies and procedures. Efforts must also be made to eliminate unfair performance ratings and promotional practices. A fair workplace is a good place to work.

1 Develop skills in active listening. People can listen faster than they can talk. Therefore, listening can become boring. The ability of an administrator to listen actively is a skill that must be developed. Active listening improves the ability to communicate effectively. Some techniques include preparing to listen, being patient, resisting distractions, paying strict attention, refraining from interrupting, controlling emotions, and judging content as well as delivery. The last word is: listen.

1 Keep personnel on the healthy

end of the continuum. Administrators must constantly strive to develop programs which reduce organizational stress on personnel as well as support programs to assist all personnel in coping with individual stress. The overall objective is to make the organization a healthy workplace.

1 Reinforce a supportive structure. Law enforcement managers must recognize the critical role they play in reducing stress. Caring about people includes providing adequate wages and benefits, job security, training, education, and opportunities for promotion, personal growth and career development. A caring organization is family-like and supportive by nature.

1 Continue toward goals of excellence. Law enforcement organizations must not allow a single incident such as a Rodney King affair to cause them to deviate from their long-range goals of excellence in law enforcement. Considering the community as customer will gain public support, increase citi-

zen satisfaction, enhance police services, and reduce citizen complaints.

1 Get the issue out in the open. Verbalizing the issue will enable law enforcement personnel to open a line of dialogue and debate which will lead to solutions, a healthy workplace and higher morale. Dodging or avoiding the issue allows it to lie unattended and, like some insidious cancer, endanger the organization and its personnel.

Managing in the aftermath of the Rodney King incident, as difficult as it may be, should be viewed by law enforcement leaders as a chance to make changes where changes are needed, to re-emphasize professional ethics, to foster a more community-oriented approach to police work, and to assist employees in coping. Taking this approach could turn the King incident into an opportunity to transcend to a higher level of professionalism, a quest for excellence in striving toward long-range individual and organizational goals and objectives.

A conversation with LA Sgt. Stacey Koon Supervisor's view of King case

Continued from Page 5

before crime occurs. That's one reason we've effectively kept crime down. That has totally gone out the window now. No policeman is becoming involved in anything. If it looks like any use of force is going to take place, they merely back away from it and just drive on by. That is not serving or protecting the public.

LEN: Do you think the videotape made all the difference in this case?

KOON: When I first heard there was a videotape I was elated, because I knew that this was a classic use of force. I thought this would be a once-in-a-lifetime opportunity. I didn't realize that he had not taped the entire incident. I didn't have the vaguest idea what was on it. The problem is that the tape has never been explained by the media, and it wasn't explained until I took the stand in the trial. After that point, the jury understood what happened. The people who watched the trial understood what happened. That made all of the difference in the world.

LEN: If it weren't for the videotape, might this whole incident have been nothing more than just another encounter with a resisting suspect?

KOON: This happens all of the time. It doesn't happen any more because policemen aren't doing any more work, but up to March 3, 1991, this was an every night occurrence. There was nothing unusual about this. This was just your normal everyday use of force. This was a little bit more brutal than many, but when you watch the video, there's actually only about 30 hits, not 56. There's a lot of misses and there's a lot that hit the ground. There's 56 swings of the baton, I'll grant you that, and six or eight kicks. I've been in some heavy-duty donnybrooks before. There was a case—I think it was an '89 case in the Harbor Division—where there were over 100 baton marks on the suspect. That's an industrial-strength type of Rodney King beating. They ended up killing that guy.

LEN: And you didn't hear about it nationwide...

KOON: No, because there wasn't a videotape. That stuff happens all of the time. Sometimes it doesn't take any baton blows. You just exhibit the baton and you get compliance. Sometimes it takes one blow, sometimes it takes 10, sometimes it takes 56, sometimes it takes 100. But what I was trying to do that night [March 3, 1991] was to prevent deadly force from being used, and that is why there were so many baton blows. We had not exhausted the use of the baton. I refused to go to the chokehold and I refused to go to the deadly force of a gun. That is the only reason Rodney King is alive today. I'm sure that if I hadn't been on the scene they would have shot him. But those officers did exactly as I told them to do. They followed orders and did their job in a professional fashion. They did nothing wrong. They followed the policies and procedures and training.

LEN: In addition to its impact on the LAPD, the case has had a nationwide backlash on the policing profession...

KOON: That's what I say, that this is not affecting just Los Angeles. This is across the board. They all talk about police brutality. Has anybody ever defined for you what police brutality is? They've never done it for me. The fact is, we're called law enforcement. Force in the key word there. Police are given force by the society to bring people into conformity that don't want to be brought into conformity. There are a lot of bad people out there who don't want to go to jail easy. Rodney King happened to be one of those types.

LEN: What lesson does this case hold for the average police officer?

KOON: I'm tempted to say don't get involved in anything; just do the bare minimum that you have to do. But I would hope that that would not be the lesson. My hope is that they do not become embittered and that they educate themselves as to what actually happened in this case, so they can speak from a position of intelligence rather than one based on misinformation; that they continue to do their job, which, by and large in my experience, the vast majority enjoy doing, and that they do not let the squeaky-wheel, liberal minority dictate what is contrary to what the vast majority of law-abiding citizens in this country believe to be the case.

I hope the public would educate themselves and become aroused enough to say: "We've got to put an end to criminals running this country. There's certain deviants, like the Rodney Kings in the world, that we've got to lock up and throw away the key on. Stand up and fight these folks." That's what I did for nearly 15 years on the job, and what I found to be very satisfying—that you could put these people away in jail, lock 'em up, and leave 'em there. That's not happening anymore. The law-abiding public suffers the most on this; the criminals are making out like bandits. They've got more rights. Where are the civil rights for the taxpaying, law-abiding citizen?

LEN: Since you've ruled out the idea of going back to policing, what would you like to do once all of this is behind you?

KOON: I'd probably like to go back and get my Ph.D. in public administration, maybe do a study of the Rodney King case as a dissertation. But to be quite honest with you, this thing is going to be going on for years. I'm just going day by day with this thing because I can't look to the future and say what's going to happen. I don't know where I'm going to be financially, emotionally or psychologically in this thing. I'm lucky just to survive day to day with the pressure that's on me. I've got the Federal case coming up, the trial board, the pension hearing, work-comp settlement stuff, the civil suits. It's never-ending. That all has to be out of the way before I can do anything else I want to do, and that's years down the line.

Charlotte consent decrees make police hiring a black-and-white issue

Continued from Page 3

further than any previous decisions have gone," he said.

Without the consent decree, Ferguson said, "the Police Department would never have been desegregated

here in Charlotte."

"The issue is whether the judge's order is erroneous in holding that race cannot be a factor at all in hiring," he continued. "We do feel that any police department, particularly an urban police department such as Charlotte, which is made up of a population of that is about 30 percent to 35 percent black, ought to be able to ensure that African-American officers are represented significantly in the ranks of sergeant and above. In order to do that, race may have to be taken into account."

The city will take a similar position in its appeal, Underhill said. "Our major argument [is] that we think our use of race is permissible because the city, as a matter of public policy, has an overriding interest in maintaining an integrated police force. That's conducive to maintaining good community relations, given the diverse population we have. For that reason, we think that race

ought to be a legitimate consideration."

Underhill said about 22 percent of Charlotte's 870 officers are black; 22 percent of those are sergeants. In 1974, only 10 percent of the officers were black.

Louis Lesesne, who represented the nine white officers, said the judge's ruling left no doubt that the city was using racial quotas to increase the number of black supervisors. "The city was using a set of racial quotas for making promotions, and under cases decided by the Supreme Court, there just wasn't any basis for doing that," he told LEN. "There's no dispute about whether they were using a racial quota; the only question is whether or not they were entitled to do it or not."

Both Underhill and Lesesne indicated that no relief for the white officers would be considered until the appeals are decided, which will probably not occur until sometime next year.

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Upcoming Events

NOVEMBER

30-Dec. 1. Confidence, Con & Bunco Games. Presented by the University of Delaware. To be held in Cherry Hill, N.J. Fee: \$300.

30-Dec. 4. Crime Scene Evidence Recovery & Preservation. Presented by Rollins College. To be held in Orlando, Fla. Fee: \$495.

30-Dec. 4. Crime Scene Technicians Seminar. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

30-Dec. 4. Practical Hostage Negotiations. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

30-Dec. 4. Police Internal Affairs. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

30-Dec. 4. Negotiation as a Communication Tool. Presented by the Northwestern University Traffic Institute. To be held in Evanston, Ill. Fee: \$275.

30-Dec. 11. Prevention & Investigation of Robbery & Burglary. Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$615.

30-Dec. 18. Command Training Program. Presented by the New England Institute of Law Enforcement Management. To be held in Wellesley, Mass.

DECEMBER

1. Basic Narcotics Identification & Investigation. Presented by the Criminal Justice Training & Education Center. To be held in Toledo, Ohio. Fee: \$100.

1-3. Street Survival '92. Presented by Calibre Press. To be held in Jacksonville, Fla. Fee: \$149 (all three days); \$125 (first two days only); \$85 (third day only).

2-4. Managing the Small Police Department. Presented by the University of Delaware. To be held in Worcester, Mass. Fee: \$350.

2-4. Managing Field Training Officer Programs. Presented by the Northwestern University Traffic Institute. To be held in Evanston, Ill. Fee: \$400.

2-4. Monadnock Straight Baton Instructor Certification Course. Presented by Pro-Systems. To be held in Bloomington, Ill. Fee: \$295.

2-6. National Range Development

Conference. Presented by the National Rifle Association. To be held in Oak Ridge, Tenn. Fee: \$450.

3-4. Managing Your Detective Unit. Presented by the University of Delaware. To be held in Richmond, Va. Fee: \$335.

3-4. Field Officer Safety Procedures. Presented by the University of Delaware. To be held in Wilmington, Del. Fee: \$300.

5. How to Prepare for Law Enforcement Promotional Assessment Centers, Exams & Interviews. Presented by Career Enhancement Opportunities. To be held in Newark, N.J. Fee: \$135.

7-8. Investigation & Prosecution of the Child Abuse Case: A Team Approach. Presented by the University of Delaware. To be held in Brewster, N.Y. Fee: \$300.

7-9. Strategic Planning in Law Enforcement. Presented by the Southwestern Law Enforcement Institute. To be held in Dallas. Fee: \$195/\$295.

7-9. Demystifying Palm Prints. Presented by Rollins College. To be held in Orlando, Fla. Fee: \$265.

7-9. Financial Investigation Procedures. Presented by the Investigation Training Institute. To be held in Houston. Fee: \$595.

7-9. Contemporary Homicide Investigation. Presented by the University of Delaware. To be held in New Castle, Del. Fee: \$375.

7-9. Use of Forensic Science Tools & Techniques in the Criminal Investigation. Presented by the University of Delaware. To be held in Worcester, Mass. Fee: \$395.

7-11. Executive Protection II. Presented by the Institute of Public Service. To be held in Gainesville, Ga. Fee: \$700.

7-11. Managing the Police Training Function. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

7-11. Advanced Death Investigation. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

7-11. Field Training Officers' Seminar. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

7-11. Police Traffic Radar Instructor. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

7-11. Automated Crime Analysis. Pre-

sented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$475.

7-11. Police/Medical Investigation of Death. Presented by the Metro Dade County Medical Examiner Department. To be held in Miami, Fla. Fee: \$495.

8-10. Street Survival '92. Presented by Calibre Press. To be held in Las Vegas, Nev. Fee: \$149 (all three days); \$125 (first two days only); \$85 (third day only).

8-10. Intelligence Acquisition & Analysis. Presented by the University of Delaware. To be held in Cherry Hill, N.J. Fee: \$375.

9-11. Managing Your Department's Training Operation. Presented by the University of Delaware. To be held in Braintree, Mass. Fee: \$350.

9-12. Investigation & Prosecution of Child Deaths & Physical Abuse. Presented by the National Center for Prosecution of Child Abuse. To be held in Corpus Christi, Tex.

10-11. Executive/VIP Protection. Presented by Richard W. Kobetz & Associates Ltd. To be held in Pittsburgh, Pa. Fee: \$375.

12. Death Scene Investigation as It Relates to EMTs & Other First Responders. Presented by NIS Inc. To be held in Little Rock, Ark. Fee: \$45.

14-15. Interviewing the Sexually Assaulted or Abused Child. Presented by the University of Delaware. To be held in Cherry Hill, N.J. Fee: \$300.

14-15. The Occult & the Community: What Every Community Police Officer Needs to Know about Occult Activities Involving Their Citizens. Presented by the University of Delaware. To be held in Wilmington, Del. Fee: \$275.

14-16. Illicit Gambling, Bookmaking & Loansharking Investigation. Presented by Rollins College. To be held in Orlando, Fla. Fee: \$195.

14-18. Introductory TEAM-UP Database Management. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$575.

14-18. Narcotic Identification & Investigation. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

14-18. Tactical Techniques for Drug Enforcement. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$475.

14-18. Law Enforcement Fraud Conference. Presented by the National

Association of Certified Fraud Examiners. To be held in Washington, D.C. Fee: \$795/\$850.

14-18. Special Operations Reaction Team Training. Presented by the Institute of Public Service. To be held in Gainesville, Ga. Fee: \$500.

15-17. Law Enforcement Shotgun Training. Presented by the Institute of Public Service. To be held in Gainesville, Ga. Fee: \$295.

15-17. DUI Standardized Field Sobriety Testing. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$325.

16-17. Effective Handling of On-Duty

Critical Incident Investigations. Presented by the University of Delaware. To be held in Braintree, Mass. Fee: \$325.

16-18. Understanding Body Language in the Interview/Interrogation Process. Presented by the University of Delaware. To be held in Cherry Hill, N.J. Fee: \$400.

17-18. Street & Highway Procedures in the Interdiction of Drugs & Narcotics. Presented by the University of Delaware. To be held in Worcester, Mass. Fee: \$275.

17-18. Communication Center Call-Taker/Dispatcher Telephone Interviewing Techniques. Presented by the University of Delaware. To be held in Owings Mills, Md. Fee: \$275.



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Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

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National Association of Certified Fraud Examiners, Attn: Curtis A. Garner, Conference Coordinator, 716 West Ave., Austin, TX 78701. 1-800-245-3321.

National Center for Prosecution of Child Abuse, c/o American Prosecutors Research Institute, 1033 N. Fairfax St., Suite 200, Alexandria, VA 22314. (703) 739-0321. Fax: (703) 836-3195.

National Crime Prevention Institute, Shelby Campus, University of Louisville, Louisville, KY 40292. (502) 588-6987.

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son Park, MA 02157-0350. (617) 239-7033.

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